

**RESOLUTION NO. 09-39**

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA APPROVING THE FINAL DECISION OF THE PLANNING AND ZONING BOARD, DECISION NO. 09-07 THAT GRANTED ADJUSTMENTS, ON PROPERTY LOCATED AT **498 EAST 40 STREET, HIALEAH, FLORIDA**; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Planning and Zoning Board, at its regular meeting of March 11, 2009, entered a final decision, Decision No. 09-07, subject to review by the Hialeah City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

**Section 1:** The Mayor and the City Council of the City of Hialeah, Florida hereby approve Final Decision 09-07 granting an adjustment of 18 feet as to the front setback, where 20 feet are required, for an addition built without the benefit of a building permit, granting an adjustment of 11 feet as to the corner side setback, where 15 feet are required, to accommodate a covered porch built without the benefit of a building permit, and granting an adjustment 1 foot, as to the distance between the main residence and a pool, where 1.5 feet are required, to accommodate a terrace built without the benefit of a building permit. The property located at 498 East 40 Street, Hialeah, Florida, zoned R-1 (One Family District).

**Section 2:** This resolution shall become effective upon signature of the Mayor of the City of Hialeah, Florida or at the next regularly scheduled City Council meeting, if

the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

PASSED AND ADOPTED this 14th day of April, 2009.



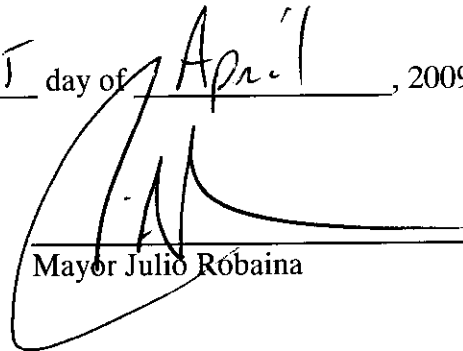
Carlos Hernandez  
Council President

Attest:

Approved on this 15 day of April, 2009.

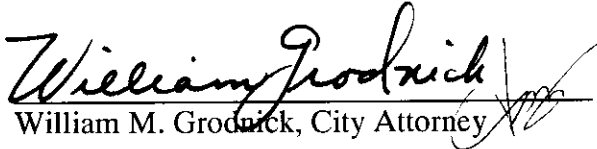


Rafael E. Granado, City Clerk



Mayor Julio Robaina

Approved as to form and legal sufficiency:



William M. Grodnick, City Attorney

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Resolution was adopted by a unanimous vote with Councilmembers, Caragol, Casals-Muñoz, Cue, Garcia-Martinez, Gonzalez, Hernandez, and Yedra voting "Yes".